

This record is a partial extract of the original cable. The full text of the original cable is not available.

UNCLAS SECTION 01 OF 02 KABUL 000275

SIPDIS

SENSITIVE

DEPT FOR SA/FO AMBASSADOR QUINN, S/CT, SA/A
NSC FOR AHARRIMAN, KAMEND
CENTCOM FOR POLAD, CG CFC-A, CG CJTF-76
TREASURY FOR LMCDONALD, WBALDRIDGE, APARAMESWARAN, ABAUKOL
STATE PLEASE PASS USAID
USAID FOR AID/ANE, AID/DCHA/DG

E.O. 12958: N/A

TAGS: [PGOV](#) [PREL](#) [PINR](#) [KDEM](#) [AF](#)

SUBJECT: AFGHAN NATIONAL ASSEMBLY: UPCOMING AGENDA

REF: KABUL 18

1. (SBU) SUMMARY. The Afghan National Assembly (NA) will resume session on Saturday, January 21. On the immediate agenda are continued discussion on rules of procedure and the formation of political groups and committees. Debate on approving the Cabinet and transitional laws will most likely occur after the London Conference (January 31-February 1). Approval of the Supreme Court justices is not yet on the NA agenda. END SUMMARY.

Immediate Agenda Remains Non-Controversial

2. (SBU) Both the Wolesi Jirga (WJ - lower house) and Meshrano Jirga (MJ - upper house) have provisionally adopted rules of procedure for a three-month period without substantial revision to the version of the rules drafted before the inauguration (Reftel). The rules will be referred to a soon-to-be formed committee on rules and administration for further review. The only remaining section of the rules to be debated in the WJ is the article relating to approval of the Cabinet. This final article is expected to be the first item on the agenda upon the return of Parliament, and will govern how the WJ approves the Cabinet (i.e., individually or as a group slate, and within what period of time).

3. (SBU) After completion of the rules of procedure, the WJ will turn to the formation of political (or parliamentary) groups. These groups, which must be formed based on ideology and contain a minimum of 21 Members of Parliament, will in some ways take on the function of parties within Parliament. Seats on the 19 planned committees will be determined based on the principle of balancing the power of the different groups, with representatives from each of the political groups. Group and committee formation is expected to take approximately two weeks.

Cabinet Likely to be Debated in February

4. (SBU) After completing its internal structure, the WJ will likely turn to the approval of Cabinet ministers. One rumor is that WJ Speaker Yunus Qanooni has cut a deal with President Karzai to smooth the approval of his Cabinet by approving it as a group - rather than minister by minister - and within thirty days. Approval of the Cabinet members as a slate will need the approval of a majority of the Wolesi Jirga. Meshrano Jirga approval is not needed for the cabinet. Whether Cabinet members are approved one by one or as a slate, there is a fair amount of nervousness in ministerial circles about job security, particularly given reports that the number of ministries will be reduced from 24 to 19.

5. (SBU) Debate on the decrees passed by President Karzai since his election is likely to begin after the approval of the Cabinet. Most MPs, in conversation with POLOFFs, have stated that each decree will be considered individually by the appropriate committee before it is sent to the floor for a general vote. The debate on decrees is likely to last several months and, as with all legislation, the decrees could be reconsidered by the National Assembly at any time in the future. The Constitution states that all decrees will remain in effect unless negated by Parliament.

"Thirty Day Rule" Not a Factor

6. (SBU) While the transitional provisions of the Constitution (Chapter 12) mention that the National Assembly should approve the Government and Supreme Court within thirty days of sitting, due to the practical need for time to organize the Assembly itself, these matters are being treated more in line with the regular provisions of the Constitution on interaction between the executive and legislative branches

(Chapter 5). Chapter 5 states that government legislation should be voted upon by the WJ within 30 days of its presentation to Parliament. In a variety of discussions with POLOFFs, no MP has mentioned approval of Supreme Court justices as an upcoming agenda item for the National Assembly. Supreme Court nominees are not likely to come on the agenda until Karzai announces the slate of judges he intends to nominate. It will be an executive-driven process.

Comment

17. (SBU) The attitude of most MPs seems positive, and focused on progress in establishing the parliamentary framework. Whatever private deals are being made regarding committee memberships and whatever their private ambitions, in public MPs of all stripes are using the rhetoric of harmony and cooperation with each other and with the Karzai administration. END COMMENT.
NORLAND